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DIVISION OF PROFESSIONAL REGULATION

### **ADVANCED PRACTICE COMMITTEE Minutes (Approved June 29, 2015)**

The Advanced Practice Committee held a meeting on March 30, 2015 at 6:00 p.m., in Room 113 of the STAR Campus, College of Health Sciences, University of Delaware in Newark, DE.

**PRESENT:** Jean Gallagher, Megan Williams, Delphos Price, Ron Castaldo, Cindy Drew, Robert McKennett, Leslie Verucci, Cindy Cunningham

**ABSENT:** Allen Prettyman, Sandy Elliott, JoAnn Baker, Candace Sandal

**GUESTS:** Jill Englund Jensen, Chris DiPietro, Julia Paulus, Rebecca Walker, Sarah Carmody-DNA,

**PRESIDING:** Megan Williams

**STAFF:** Pamela Zickafoose, Executive Director, Delaware Board of Nursing  
David Mangler, Director, Division of Professional Regulation

**CALL TO ORDER:** Dr. Williams called the meeting to order at 6:11 p.m.

**REVIEW OF MINUTES:** Minutes from February 23, 2015 were reviewed. Mr. Price made a correction to page 2. Ms. Drew made a motion to accept the minutes as corrected, seconded by Mr. Price. By unanimous vote, the motion carried.

**NEW BUSINESS:**  
None

#### **UNFINISHED BUSINESS:**

##### **Education for Newly Elected Legislators**

Since the committee is waiting for the bills to be introduced there has been no contact with legislators.

##### **Legislation Update**

###### **Nursing**

Dr. Williams informed the committee there were two bills awaiting sponsors and there had been some dialogue with the Medical Society of DE (MSD). She and Dr. Zickafoose met with MSD representatives on March 13<sup>th</sup> and shared feedback from the committee regarding the MSD-suggested edits to the original draft bill. As a compromise it was suggested to keep the physicians on the APN committee as non-voting members. Dr. Zickafoose explained the rationale for changing the proposed APRN Committee to an advisory committee. Members discussed various aspects of the JPC as it related to previous disciplinary actions. Mr. Mangler shared that one challenge of making these changes in the Nursing statute is that the language is also in the Pharmacy and Medical statutes. He also reviewed the current process involved with any disciplinary cases. At this time nearly all of the hearings involving nurses, including APNs, are heard by the Administrative Hearing Officer Unit in the Division of

Professional Regulation. Therefore, changing to an advisory committee allows a more streamlined disciplinary process. Mr. Price commented that an advisory committee makes sense and he agreed it would be beneficial to keep the pharmacist and physician members on the proposed APRN Committee. Mr. Mangler added that there are boards that have committees as formal bodies of the boards that are advisory in purpose. Mr. McKennett made a motion, seconded by Dr. Cunningham, to change the word "develop" to "recommend" in two places in the proposed regulatory bill to increase clarity and reduce redundancy. By unanimous vote the motion carried.

Dr. Williams informed the committee that she and Dr. Zickafoose participated in a NCSBN conference call with Shirley Brekken who is the current President of NCSBN and ED for the Minnesota Board of Nursing. Minnesota passed Consensus Model legislation. Dr. Zickafoose provided an overview of key points from the call and also read an excerpt from the MN statute pertaining to a compromise with their bill. Members discussed the AANP White Paper including competency through practice hours. Mr. Price commented that CRNAs accumulate 2200 hours of clinical practice during their training. Dr. Williams added that the question was asked of MN whether there was any team based language in their bill and the answer was "no," concluding that team based care was a model and perhaps not something to be established through regulation.

Mr. DiPietro provided public comment to inform the committee of his and Ms. Walker's meeting with the MSD. He stated the MSD was happy to see the definition of consultation added but they questioned how it would be used in the bill. Mr. DiPietro further described their meeting in detail and members of the APN committee discussed various alternative language for purposes of negotiation which Dr. Zickafoose will draft and share with committee members. Mr. Mangler also pointed out that there needs to be a conversation with the Board of Medical Licensure and Discipline as well as the MSD. Lastly, there was one line in the title bill the MSD requested be moved to the regulatory bill. Ms. Gallagher made a motion to remove line 36 from the draft bill, seconded by Ms. Verucci. By majority vote, the motion carried with Mr. McKennett opposed.

#### **Telemedicine**

HB 69 was introduced. Members discussed that the APRN language was not included in the bill. Dr. Williams expressed concerns that it was eliminated. Mr. Mangler explained that any changes now would require an amendment and the sponsors would have to agree with the amendment. Dr. Zickafoose will forward the proposed APRN language to Mr. Mangler to submit to the sponsor for consideration. Mr. Price stated he contacted Jana Conover who replied she did not see any issues with the bill. Mr. Mangler stated the bill is on the House Economic Development Committee Wednesday at 3:30pm.

#### **Non-Nurse Midwives**

HB 70 was introduced and assigned to the House Health and Human Services Committee.

#### **Legislative Outreach- Stakeholder Contact Meetings**

See above.

#### **Statute and Regulations-Section 8 Regulations**

Tabled until legislation is passed.

#### **OTHER BUSINESS (for discussion only):**

Ms. Verucci mentioned there would be a retirement reception for Dr. Lyn Hayes from UD at the end of April. Mr. Mangler asked the committee who they designated as the spokesperson or point of contact for this group as the two APRN bills' work moves forward. All agreed it would be Dr. Williams.

**PUBLIC COMMENT:** None

**NEXT MEETING – April 27, 2015 at 6pm in Dover.** This is a new date since there was a scheduling conflict with the original date selected. Members marked their calendars.

**ADJOURNMENT –** The meeting was adjourned at 8:14 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Pamela C. Zickafoose". The signature is written in a cursive, flowing style.

Pamela C. Zickafoose, EdD, MSN, RN, NE-BC, CNE  
Executive Director, Delaware Board of Nursing